



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Larry J. Monteilh, Executive Officer
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Auditor-Controller

At its meeting held July 6, 1993, the Board took the following action:

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Supervisor Edelman made the following statement:

"From time to time, the County desires to reemploy former employees who have retired. In the past, such employees could only be rehired for a maximum of 120 working days per fiscal year.

"A recent amendment to Government Code Sections 31680.4 and 31680.5 now authorizes the County to reemploy a retired employee on a permanent basis, provided that the Board of Retirement cancels the employee's retirement allowance and reinstates him or her to active membership in the retirement system. The retirement allowance is resumed only upon the employee's subsequent termination from County employment.

"Government Code Sections 31680.4 and 31680.5 are local option provisions which may be made applicable in this County by resolution of the Board of Supervisors. I believe it is desirable for the County to have the flexibility to reemploy retired employees if it so desires. Other Counties have adopted these provisions, and similar language applies to the State Public Employees Retirement System."

(Continued on Page 2)

Syn. 46 (Continued)

On motion of Supervisor Edelman, seconded by Supervisor Dana, duly carried by the following vote: Ayes: Supervisors Molina, Burke, Dana and Edelman; Noes: Supervisor Antonovich, the Board adopted the attached resolution implementing the provisions of Government Code Sections 31680.4 and 31680.5 in this County, effective immediately. The Board also adopted the policy that this provision will not apply to employees who received Early Separation Program payoff, and determined that in each instance it is recommended to be utilized, Board approval will be required.

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Attachment

Copies distributed:

Each Supervisor

Chief Administrative Officer

County Counsel

Letter sent to:

Chief Executive Officer, Los Angeles County
Employees Retirement Association

RESOLUTION
IMPLEMENTING THE PROVISIONS OF
GOVERNMENT CODE SECTIONS
31680.4 AND 31680.5

On motion of Supervisor Edelman, duly carried, it is ordered that the following resolution be, and the same is hereby adopted:

WHEREAS, the County desires to have the ability to reemploy former employees who have retired; and

WHEREAS, there was previously no authority to do so on a permanent basis; and

WHEREAS, Government Code Sections 31680.4 and 31680.5 now authorize the County to reemploy retired employees on a permanent basis if implemented in this County; and

WHEREAS, Sections 31680.4 and 31680.5 are not operative in a county until adopted by the Board of Supervisors; and

WHEREAS, the Board of Supervisors of the County of Los Angeles now desires to implement the provisions of Sections 31680.4 and 31680.5 in the County of Los Angeles;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Los Angeles that:

1. Government Code Sections 31680.4 and 31680.5 shall be applicable in the County of Los Angeles effective immediately, and

2. Certified copies of this resolution shall be delivered to the County Auditor-Controller and the Board of Retirement.

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the County of Los Angeles, State of California, on the 6th day of ~~June~~ ^{July}, 1993



LARRY MONTEILH, Executive Officer-Clerk of the Board of Supervisors

By Sylvia J. Villalobos
Deputy

APPROVED AS TO FORM:

DE WITT W. CLINTON
County Counsel

By Larry Monteilh
Deputy

EXTENDED REEMPLOYMENT OF RETIRED COUNTY EMPLOYEES

PROVISIONS

The County has periodically reemployed retired County employees to positions requiring special skills or knowledge, as determined by the County, for up to 120 working days or 960 hours in a fiscal year. The returning employee continues to receive monthly retirement benefits, if so entitled. This program is still available to the County.

Pursuant to Government Code Sections 31680.4 and 31680.5 and recent amendments (AB 881, Chapter 75 of 1992), the Board resolved on July 6, 1993 to provide for the reemployment of a retired County employee on an indefinite basis. The Code provisions include language on retirement plan procedures which provide for:

- the cancellation of a returning employees retirement allowance until termination of reemployment;
- reinstatement into the retirement association upon the employee's application to the Board of Retirement, a medical determination of fitness to perform the assigned duties, and meeting other statutory conditions for membership. The member will be treated as if first entering the retirement system (i.e. currently entry only into Plans D and E for general members, and Plan B for safety members), except that, solely for the purpose of determining eligibility for service retirement (vesting) in the Plan entered into under reinstatement, service credited prior to reinstatement shall be included; and
- a retirement allowance provided upon separation from the rehired position is to be the sum of (1) the person's retirement allowance as it was prior to reemployment (with COLA and other adjustments if they would have otherwise occurred), and (2) an allowance calculated under the "new" plan based upon time in the rehired position and the employee's age.